

Pennsylvania from Below

Community Media on Keystone Issues

www.pafrombelow.info

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THE WATER'S GONE BAD

The Environmental Dangers of Hydraulic Fracturing

By Sara Lee

CARTER ROAD, in Dimock, Susquehanna County, has earned the nickname "ground zero," as it gains fame in the natural gas controversy of Pennsylvania. Residents of Carter Road organized to file suit against Cabot Oil and Gas after 14 wells used for drinking water became undrinkable. (See *Passing the Buck* on page 3 for details of the lawsuit). While Cabot denies that deep rock fracking caused the water contamination, the company was heavily fined by the Pennsylvania Department of Environmental Protection, and later forced to plug three wells in Dimock.

Lawyer Ken Komoroski represents Cabot Oil and Gas in public forums, and appeared at a gathering organized by the League of Women Voters in Susquehanna County. He attempts to reassure the residents of Dimock that Cabot is taking care of their water problems, but someone shouts "Why doesn't Pat have water?!"

The Pat in question is Pat Farnelli, mother of eight and resident of Carter Road. Pat was convinced for months that the illness plaguing her family was a simple bug being passed between children and parents. Mostly, her children complained of stomach cramps and extreme nausea. Pat didn't understand, though, why her children felt fine all day at school but would double over in pain, vomiting, shortly after arriving home in the afternoon. Now she knows that her water is saturated with 12% methane, and unacceptable amounts of barium.

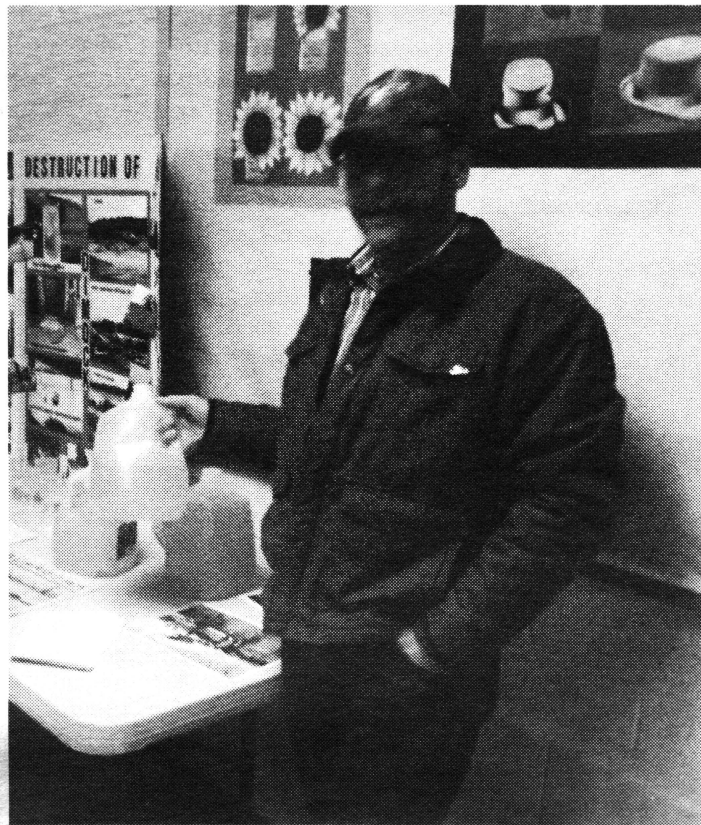
Farnelli began to put the pieces together after a conversation with her neighbor Jean Carter. "Jean's my closest neighbor. She leaned over to me and said, 'Pat, I

think our water well's gone bad.' I asked her what she meant. They'd been drilling for two months. She said 'I'm not sure what I mean...but the water's gone bad. It smells strange, and it just doesn't taste right. After I drink it, I just don't feel right.'"

Farnelli's other neighbor had drawn herself a bath and noticed sediment at the bottom of the tub. Her husband assured her it was probably just dirt, which sometimes collects in certain weather in their well. At his direction, she continued to let the water run until it cleared. It never did.

As the water ran, it began to change colors until it appeared orange. Jokingly, her husband suggested they light it on fire. The water in their bathtub burned for eleven full minutes.

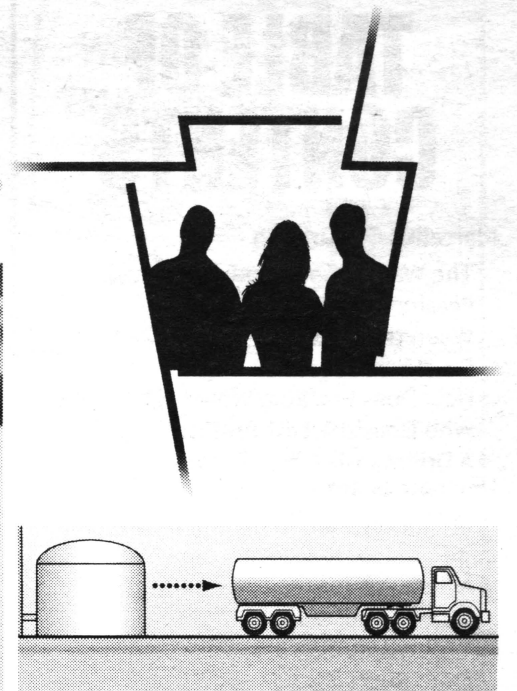
Another resident was fortunate enough to be out of her home when methane built up so much in her well house that it exploded, propelling a concrete wall across her property.



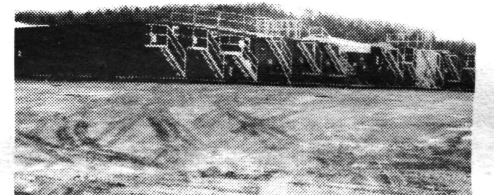
Dimock resident Craig Sautner displays his ruined drinking water at a Susquehanna County meeting on water quality. Sautner lives on Carter Road, gas drilling's "ground zero."

Cabot has been responsible for the contamination of fourteen water supplies in Dimock alone, according to the DEP at press time. Komoroski acknowledges the water contamination in Dimock but maintains that to date, there have been no reports of groundwater contamination due to hydraulic fracturing activity in the Marcellus Shale.

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» See **HOW DOES FRACKING WORK?**, page 6



Attention Landowners

ARE YOU prepared for gas drilling? Because gas drilling is prepared for you. Learn more about leasing your land from Northeastern Pennsylvanians who have experience with landmen and drilling companies.

» See **WHEN THE LANDMEN KNOCK**, page 4

Unemployment in the Big Woods

by Rachael Spotts and Mitch Troutman

FROM 1950 to 2003, Pennsylvania lost more than 50% of its manufacturing jobs. That's more than 1 million jobs—more than any other state in the country. The service and medical industries have replaced some of these jobs, but we still feel the impact. And we continue to lose more.

Pennsylvania's unemployment has soared along with most of the country during the current recession. Philadelphia and Pittsburgh both have long experience with high unemployment, but the highest

rates are actually found in rural areas of the state. There, it doesn't take many jobs to change a percentage point, and so in a way, these areas are microcosms—miniature examples of the larger world. With a small population, a few layoffs not only change the statistics: they affect the community as a whole.

Welcome to Cameron County

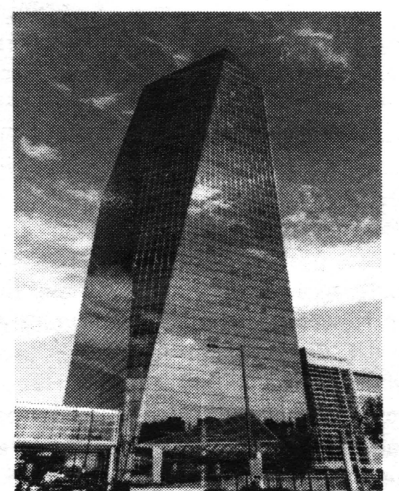
Unless you're from the area, you've probably never heard of Cameron County. Many people who live in Cameron County also feel forgotten, mostly by Harrisburg. This isn't too surprising, considering that it is the second most rural county in the state, with a population of around 5,300 people. Almost half of the

county's residents live in the county seat, Emporium.

Cameron County is in north central PA, in the heart of what's called the Pennsylvania Wilds—massive state forest lands. According to the local Chamber of Commerce, 97% of the land in the county is covered in forest.

To get to Cameron County, you take one of a few long, winding roads, Route 120 from Lock Haven which was once the Old Sinnemahoning Trail used by Native Americans. It is now called the Bucktail Trail Scenic Byway, an appropriate name as it passes through countless mountains while following the Sinnemahoning Creek and the railroad line. Emporium and Driftwood are the county's only two towns. Outside of those, you're likely to notice more signs for elk crossings than houses.

» See **UNEMPLOYMENT**, Page 8



Who Pays the Bills?

PENNSYLVANIA'S KOZ program, which makes certain businesses exempt from paying taxes, has been on the books for over 12 years. It's time for a deeper look.

» **FROM RUST TO GOLD?**, Page 10

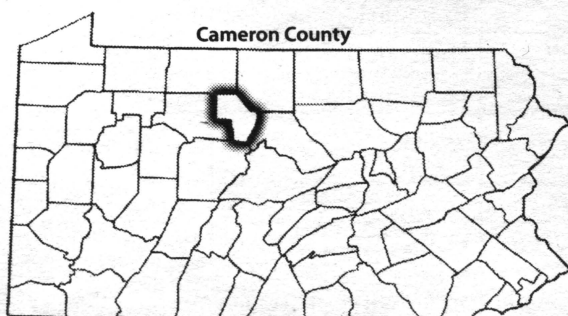




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THANK YOU

There were many people along the way that gave us a place to stay, introduced us to people, gave us company, moral support and encouraged us.

Thank you:

The team (PA from Below), The people of Dimock. The people of Emporium. The people of Wilkes-Barre. Kara Newhouse, Carey Beemer, Irina Zhorov, Niko Rayer, Scott Pierpont, Ben Straub, Randy Frey, Rod & the Gereda family, Frank Sindanco, Lynn Senick, Matt Purdy, Elvin Izaguirre & Sons, Barb Jarmoska, Julie & Craig Sautner, Pat Farnelli, Vera Scroggins, Megan Sheehan, the Buttonwood in Emporium, Tim Coleman, Suzy Subways, Dave Onion, Corina Delman, Beth Pulse, Justine Peters, Cory Moate, John & Bambi Teats, Dave Gray, Ben Newton, Michelle Barton, Cathy at the IUE, Gustavo Martinez Contreras, Lauren Melodia, Donna, Rebecca, & Heather Spotts, Laura Glace, Karina Fernandez, Mary Anne Troutman, Jessame James, Nsilo Lane, Milena Velis, Hannah Sassaman, Bryan Mercer, Chris White, Whispy, the Defenestrator, BSI in the Philadelphia Cental Library Branch, Barry Yoselson & the Susquehanna County League of Women Voters, Pro Publica, Beth Troutman, Eli Weaver, the People's Caravan, Leslie Lewis, Alex J. Spence, Vicky Switzer, Marianne Berthel, Kelley Williams, Cindy Peterman, Michael "Abdul" Zarrella, the rest of our families who were supportive and anyone else that we forgot.

Thank You, for help, generosity, advice and more.. We couldn't have made this without you.



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Pennsylvania from Below

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Thank you for picking up this paper.. We, Pennsylvania from Below, are happy to share it with you. It is a result of months of hard work, collaboration and dedication by many people. So many people have been involved that it is often hard to count.

Starting in December, our team has travelled to many areas of the state to find out, behind the usual news stories, what is going on for real, everyday people. We've visited so many places, met so many people and learned so many things. We hope to share some of that with you through this paper..

We originally chose four topics that we wanted to cover. Of those, you'll only find three in this paper. The topic that didn't make it in is immigration. We unfortunately weren't able to capture the stories we were after. Like everything else in this paper, immigration is a hot issue and we wanted to do it justice by telling first hand stories of the people involved.

Who are we? We are grassroots journalists covering issues surrounding economic struggles throughout Pennsylvania. We're from Philadelphia, Lancaster, Montgomery, Northumberland and Chester counties. We are young Pennsylvanians who wanted to hear the real stories of what is going on in our state.

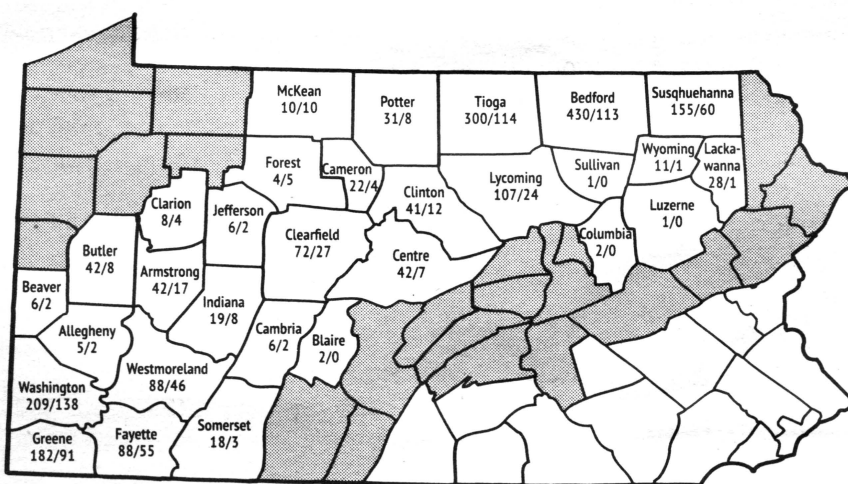
Updates as We Go to Print

TastyKake, the last big factory in Philadelphia's old industrial Northwest, is relocating to the Naval Base in South Philadelphia, a Keystone Opportunity Zone where they will be exempt from taxes.

"Save our Forests is the name of House Bill 2235, which passed Pennsylvania's House of Representatives 157-33 on May 4, 2010. This legislation puts a three year moratorium on any new leasing of state forests for natural gas exploration and exploitation. It also gives the Department of Conservation and Natural Resources the authority to determine whether the moratorium should be lifted after the three years pass. As it stands, 700,000 acres (one-third!) of commonly owned state forests have been leased in an attempt to generate revenue to balance Pennsylvania's budget. The Save our Forests legislation must also pass the state Senate to become law. Contact your local state senator to show your support.

MARCELLUS GAS DRILLING

Where is it Happening?



Data is from the Pennsylvania Department of Environmental Protection.

The image shows, by county, permits given and wells drilled. Grey counties are on top of the Marcellus, but haven't been drilled yet.

In 2009, there were 1984 Marcellus drilling permits given by the DEP, and 763 wells drilled. In total since 2005, there have been 3,255 permits issued and 1,324 wells drilled.

Note: this only represents horizontal wells in the Marcellus Shale. Pennsylvania has a long history of natural gas drilling, and has many more wells that this, but they have been drilled in a traditional vertical style.

The Marcellus Shale also crosses New York, Ohio and West Virginia. Northeastern and Southwestern Pennsylvania have the deepest reserves in the field.

The Top 10 Companies

These are the top companies drilling in Pennsylvania's Marcellus Shale. They are ranked by who has the most permits to drill (PA only). 2009 Sales refers to the entire company, not just PA gas drilling. The companies have many subgroups, so their names may be slightly different than what you have seen elsewhere.

According to Forbes, Chesapeake Energy is the 405th largest company in the world. Range Resources ranks 1451st.

	Company	Active Permits	Permits Pending	Headquarters	2009 Sales
1.	Chesapeake Energy	509	68	Oklahoma City, OK	\$7,702,000,000
2.	Range Resources	415	31	Forth Worth, TX	\$840,407,000
3.	Atlas Resources	305	18	Corapolis, PA	\$1,587,602,000
4.	Talisman Energy	287	35	Calgary, Canada	\$6,373,000,000
5.	East Resources	283	34	Broomfield, CO	Private
6.	Cabot Oil & Gas	160	29	Houston, TX	\$879,276,000
7.	EOG Resources	134	7	Houston, TX	\$4,786,959,000
8.	Anadarko Petroleum	108	17	The Woodlands, TX	\$9,000,000,000
9.	Exco Resources	103	16	Dallas, TX	\$585,835,000
10.	Cheif Oil & Gas	96	2	Dallas, TX	Private

Data from PA Department of Environmental Protection, Forbes, ReferenceUSA and CorporateInformation.com.

MARCELLUS GAS DRILLING

Passing the Buck on Water Contamination

by Rachel Fetrow

ON APRIL 15, the Pennsylvania Department of Environmental Protection (DEP) issued the most significant sanctions to date against Cabot Oil & Gas, responding to the ongoing environmental crisis of water contamination in Dimock, Pa. The action came in the form of a consent order and agreement, a legal contract that was negotiated between the DEP and Cabot to address issues of compliance with the Clean Streams Law, the Oil and Gas Act, and the Solid Waste Management Act. The April action was revised from a November 2009 agreement after Cabot failed to abide by the original terms. As a result of the April revisions, Cabot paid a \$240,000 fine to the state, and the DEP will fine the company "\$30,000 per month, beginning in May, until the DEP has determined the company has met its obligations," according to the DEP press release.

"Cabot must plug three wells within 40 days [by Tuesday, May 25] that are believed to be the source of migrating gas that has contaminated groundwater and the drinking water supplies of 14 homes in the region. It must also install permanent treatment systems in those homes within 30 days [by Saturday, May 15]," the DEP press release stated. Additionally, the company's current pending permit applications have been suspended.

The DEP barred Cabot from drilling any new wells within a nine-square-mile area in Dimock Township; however, Cabot still has a presence in the area. Since drilling is the specified limited activity, Cabot continues to maintain compressor

To put the sanctions in perspective, the \$240,000 fine is less than five percent of the \$5.5 million total 2009 compensation for Cabot Chairman, President, and CEO Dan Dinges



stations and pipelines for wells that have already been drilled. Additionally, the nine-square-mile ban did not explicitly differentiate aboveground from belowground activity. Horizontal drilling and hydraulic fracturing can have a radius of anywhere between 20 feet up to 4500 feet, depending on the form of drilling. Since the DEP order did not specify where the ruling applied, Cabot could access the land within the nine-mile ban through long-radius drilling. Since natural gas drilling can be done as far as two miles deep into the earth, there's no way for an outside party to know the exact location of Cabot's drilling activities under the ground.

Despite the complicated legal language of these agreements, they omit a major issue in the dispute: Who is responsible for water contamination? The DEP's gentle language—Cabot wells "are believed to be the source of migrating gas"—implies that the toxins found in Dimock water have

migrated from specific drill sites without holding Cabot directly responsible. The agreement between the DEP and Cabot outlines specific actions that Cabot must take to remedy the damages, but a clause in the April 15 revised consent order states that no other party or person has the authority to use the findings in either agreement for any other matter or proceeding. While the DEP's statements can be used as established facts, this clause allows Cabot to escape full ownership of the problem in Dimock. However, because the DEP study has determined that 14 homes have methane and heavy metals in their water, the burden of proof has shifted to Cabot. Now the company is responsible for proving that they were not the cause of the contamination.

Cabot and other Marcellus drilling companies continue to claim that fluids and chemicals cannot migrate through the layers of earth in a path that would ever reach a water well or an aquifer. But the primary component of natural gas, methane, is present in wells throughout Dimock Township in sufficiently high quantities to explode Dimock resident Norma Fiorentino's well and its thick concrete cover on January 1, 2009. If contaminants in fact migrate, as drilling opponents allege, the DEP's nine-mile ban is relatively arbitrary, since it's plausible that contaminants migrate throughout the region.

The Dimock Township water contamination supposedly occurred before November 2009, according to Dimock residents and the DEP's original consent order and agreement. Considering that the DEP waited more than five months to respond to Cabot's

failure to deal with the contamination, it's clear that fixing the problem or identifying the source are not priorities for the Department. To put the sanctions in perspective, the \$240,000 fine is less than five percent of the \$5.5 million total 2009 compensation for Cabot Chairman, President, and CEO Dan Dinges, according to the company's 2009 Proxy Statement, released March 23.

DEP Secretary John Hanger admitted in a May 4 meeting with Dimock residents that the department does not know the extent of the contamination or how long it will take to clear.

Public Response

Because of the DEP's casual stance toward enforcing protective environmental policy, Dimock residents banded together in an ongoing attempt to save their water. At a November 20, 2009 press conference on Carter Road, 15 Dimock families announced a lawsuit against a natural gas energy company that has done substantial drilling in the area.

The families' attorney, Leslie Lewis, stated, "We're here today because last evening we filed a federal complaint against Cabot Oil and Gas Corporation on behalf of 15 families on Carter Road."



Susquehanna County residents at a meeting on water quality in Elk Lake High School. Photo by Mitch Troutman

MARCELLUS GAS DRILLING

When the Landmen Knock

by Mitch Troutman

DURING A March 12th water quality meeting for residents in Dimock, a gas industry representative admitted that his company, Cabot, hadn't shared as much information as it could have with residents about the effects of drilling. This was no surprise to many residents of the region, some of whom have had their water ruined by the drilling.

Before companies can drill, they need to buy leases from landowners. Sometimes companies talk residents into the deals themselves. Often they hire contract companies, who send landmen to do the work.

Pennsylvania from Below spoke with three northeastern PA residents, each of whom are part of organized community responses to the drilling. Based off their own experience, and that of their neighbors, they offered advice on interacting with drilling companies and landmen.

Julie Sautner is a resident of "Ground Zero," the nickname industry representatives and locals use for Dimock, PA. Gas companies have been drilling there for almost two years. Like many of her neighbors, Julie's water is undrinkable. "They're not doing anything for us," Julie said. "It's been over a year and a half. I have my well bubbling, right now as we speak, like a pot of boiling water." Recently, Julie and her husband have begun filling milk jugs with their undrinkable brown water and placing them on their property to block the trucks from entering—an act that placed them in regional newspapers. Julie is part of a lawsuit with other residents on her road against Cabot for destroying their water. Cabot denies this allegation, claiming the water was always undrinkable. "They didn't tell us what kind of an impact they would have," Julie said. "No one was thinking environmental—no one was thinking anything"

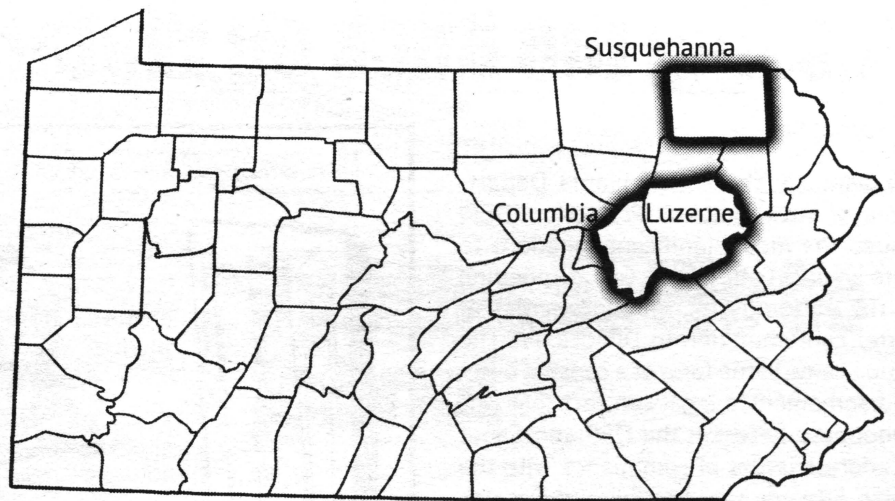
Ken Long, of Sweet Valley PA, starting learning about drilling leases about two years ago. At the time, few people in his community knew about Marcellus gas. With little information out there, companies had an easy time getting leases. "There were people in their 80's—the landmen would knock on their door and walk back out with a signed lease. They'd be getting as little as \$200," Ken said. He and his neighbors formed the all-volunteer Southwest Ross Township Property Group (SWRTPG). Together they educate local landowners and negotiate with landmen. The eight people running SWRTPG have lived in the township for more than 20 years..

Bruce Anderson, of Benton PA, has joined with his neighbors to form the Columbia County Landowners Coalition (CCLC). Like SWRTPG, the CCLC educates neighbors and negotiates with companies. Bruce explained, "you need to educate yourself to the pros and cons of the subject. I believe in dealing with a reputable company and having a good lease, heavy on environmental elements, which goes a long way in protecting you. Government agencies do not possess the manpower to effectively protect everyone, so we must look out for each other in a community effort."

Tactics

Landmen make money when landowners sign a lease. They are trained to get you to sign that lease. According to Ken, "Anything that a used car salesman might use to get you to buy a used car," is a tactic they might try to get your signature. Ken, Julie and Bruce shared some of the lines they've heard:

- "You're not even going to be able to tell that we were here. The only thing that you're going to be able to see is a fireplug," the landmen told Julie. They told some of her neighbors that they might not actually drill in the area; however, since the day they started drilling, Julie has seen no end. The landmen failed to mention that Dimock sits atop the deepest and densest deposit of gas in the Marcellus shale.
- "If you don't sign with us, we're going to drill under your property and take your gas anyway." According to Ken this line is illegal. He explained that such action would be called "force pulling," which is banned in PA. If companies drill alongside your property, by law it's called "rule of capture." No company has done this yet in PA, and Ken expects a big legal battle if any company tries.
- "All your neighbors have leased with us. If you don't, you'll just be left out." Bruce told us, "When people have contacted their neighbors and asked them, 'did you lease?', they say 'no I never talked to anybody.' They're using that as a tactic, and I know people who have signed leases when they were told that their neighbors have all signed them, when they hadn't."
- "Go ahead and sign the lease, everybody's leases are exactly the same," they told Julie. This turned out to be false.



- "This offer is only good till this Friday—if you don't sign up, we're gone and we'll never be back." Bruce heard this line from a company three or four times, "And they keep coming back."

Advice

- "Don't sign anything until you understand everything. You only have one chance to do this right. It could go on for generations and generations." (Long). Along with Anderson and Sautner, he offered advice to anyone who hears the landmen a-knockin'.
- "First look at their ID, and get a card from them. Sit down and let them talk to you, but understand that they're just going to give you the gas company's perspective" (Long)
- "Ask the landsman how much up front money are they paying. Ask about lease extensions and find out what amount of royalty they are paying. Ask them if any other companies are in the area offering leases and try to verify this information. Unless you have everything important that you talked about at your meeting with the landsman in writing, you do not have it. Land service companies are here for usually a short duration of time and then they are gone" (Anderson)
- "Once you've got some information, then what you want to do is see if there's a local landowner group. Join a group. Educate yourself." (Long)
- "Talk with your neighbors and see if they were contacted and network your information. See if there are any landowners groups in your area. There are websites* that list landowner groups. Attend some meetings to gain as much knowledge as you can to make the right decision for you and your family. If you have an Internet connection, or access to a public library with a computer, there is a lot of information on the web. Knowledge is the key to successful leasing." (Anderson)
- "If asked to sign any paperwork, advise the landsman that you want an attorney to review the paperwork before you will sign anything. Do not let them talk you out of an attorney review of the paperwork. You must protect yourself. This will give you a chance to educate yourself by doing a lot of research." (Anderson)

- "You need to take the lease and have it looked at by an attorney, somebody who does know the oil and gas law. You need to know what they can do and what they can't do. If they want to they can take all their trucks and park it on my property, because it says so on the lease." (Sautner)
- "Have your water tested. If the oil company wants to test your water, let them. Tests are very expensive. If we want to have one well done independently, it's \$800 and that's not even for all the chemicals or things that you could test for, not for \$800." (Sautner) ●

Resources for Landowners

For anyone considering leasing their land, more information can be found at these websites.

- **www.gomarcellusshale.com**
A place to find neighborhood organizations. Make sure to investigate any groups before joining them—some are volunteer, while others get commission off of you, similar to landmen groups.
- **www.pagaslease.com**
A forum where you can ask questions and hear from other people in your position.
- **www.dep.state.pa.us/dep/deputate/minres/oilgas/new_forms/marcellus/marcellus.htm**
The official DEP gas drilling website.
- **www.propublica.org**
An investigative website with a lot of research into Marcellus gas drilling.
- **extension.psu.edu/naturalgas** ●



60 Frack Water Tanks, lining a new drill site in Dimock, PA. Photo by Mitch Troutman

MARCELLUS GAS DRILLING

Desperate Measures in Desperate Times

How Economic Conditions in Pennsylvania Play into Natural Gas Leasing

by Sara Lee

IN A recession that all people feel, those already under economic pressure become increasingly vulnerable to the race to find a dollar. The areas hardest hit by economic decline happen to be rich in one natural resource: natural gas deep underground. The correlation between natural gas woes and economic despair is close. When landmen came knocking, offering quick cash with seemingly little sacrifice, people were understandably eager to sign. The stories told from above about how gas drilling affects communities did not match up with what members of those same communities told us.

In her home in Dimock, Susquehanna County, Lynn Senick tells us over tea about the economic condition of her area. There isn't much work for its 42,000 residents locally. Many people choose to make the 40 minute commute north to Binghamton, New York or the 45 minute southern commute to the city of Scranton. Work opportunities in Dimock are generally limited to schools, civil offices, or non-profit organizations. The quarry industry offers some seasonal jobs, but these are few and far between.

Bill Gere, a resident from just across the New York border tries to explain the economic background. "In Susquehanna County... agriculture as a way of life is diminishing. The stone quarrying business, although it seems profitable, it's connected to the market and so it fluctuates. And it probably only benefits a small proportion of the people of the county."

Susquehanna County rests in the northeastern corner of the state, with the New York border at its north. The population density averages 51 people per each of the county's 800 square miles, and is gradually declining. The county is consistently rated in the top ten poorest counties in the state, and has been listed occasionally in the top three poorest.

Dimock was no exception to the story in Susquehanna County when the landmen came knocking. Resident Vera Scroggins suspects the drilling companies were easily able to take advantage of the general poverty, saying "Dimock was the entry point [for drilling] in Susquehanna County. That's where they paid the least for leases. They were like, \$25 per acre... It was a good entry point for them. They could just do whatever they wanted, pretty easily."

Kelley Williams, a college administrator working in Montgomery County, leased her property in Bradford County, just west of Susquehanna. She tells similar stories of the strain of too few jobs in a community. She says properties are mostly owned by retired people without jobs, or used as recreational getaways throughout the year, rather than primary residences.

The story from above:

"They told us all the leases were the same."

Scroggins tells us, "They weren't."

Williams stirred up a bit of controversy in her town after receiving more per acre after holding out on signing a lease than did the neighbors who signed immediately upon the offer.

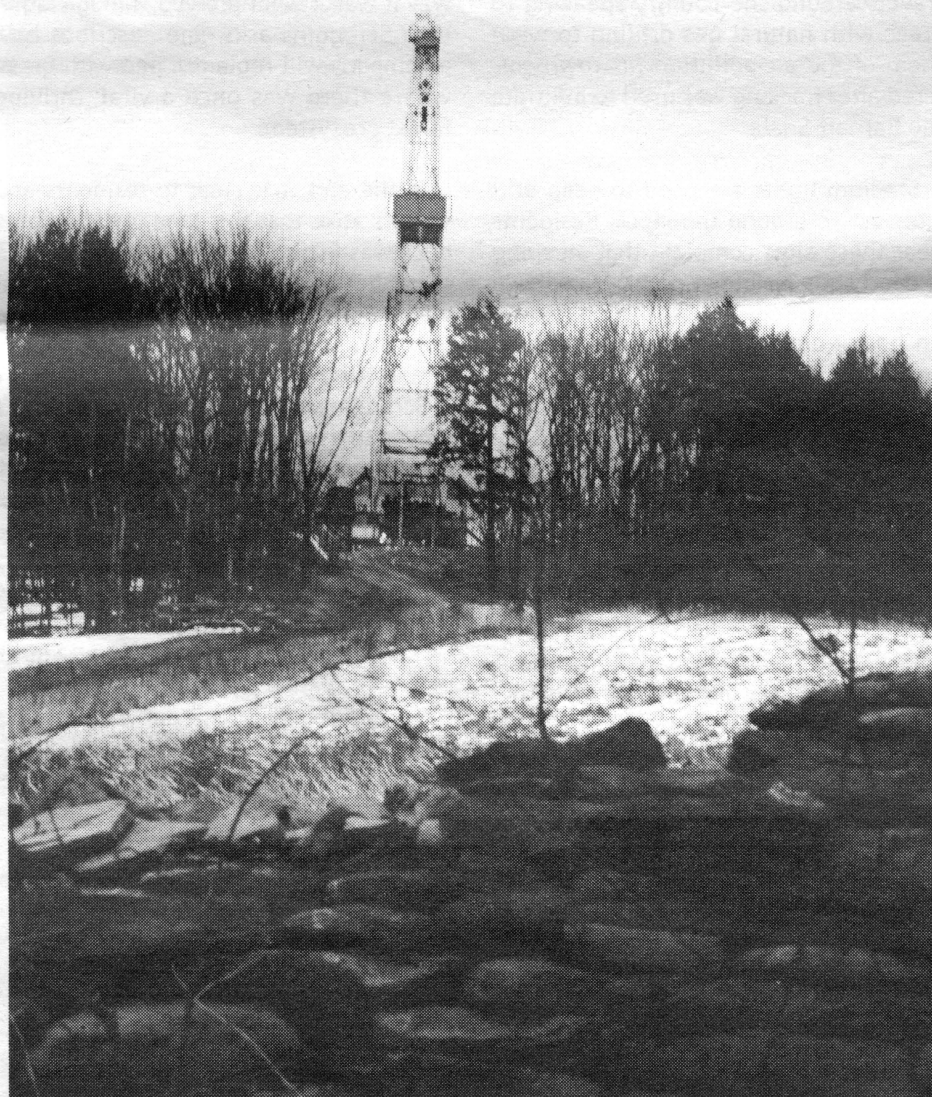
Cindy Peterman grew up in Sullivan County, south of Bradford County. Her family chose to lease out their 106 acres "on the ground floor, for a paltry \$30 per acre." She had no hopes of working the land, as it's too rocky to farm. Her Bradford County neighbors held out when the initial offers were made, and are now being

people either. "My graduating class had 100 people. It's mostly retired people up there. I think about going back up there, but there's no jobs." Presently, Peterman, who works as a nurse, lives in Bucks County. For now, drilling on her property is slated to start in this month, May, pending the construction of pipelines to transport it to a compressor station and to market.

The story from above:

People make informed decisions to lease their land.

The gas industry makes it difficult for landowners, already facing economic trouble, to say no. Ken Komoroski, a Cabot Oil and Gas Company representative, admits



A drilling rig in Susquehanna County. Photo by Sara Lee.

approached with offers closer to \$1000 per acre.

Back in Susquehanna County, Vera explains "it's up to \$6000 per acre. They upped the ante. And so people sold themselves..... They don't care because they want the money. People are saying, 'come drill in my kitchen, and send me a check!'"

For people like Peterman, a lease seems like a surprise blessing. "I never thought that big rock mountain would ever be worth anything. God must have a sense of humor," she says. Her area, too, has little economic opportunity. "There's no jobs," she says bluntly. There aren't many

that the landmen do not give as much information to the potential leasers as they could. When asked at a public forum whether the landmen gave as much information as they could have, his simple response was "no."

The natural gas industry, to promote its cause, has created the Marcellus Shale Coalition, a promotional mouthpiece whose propaganda can appear to residents as unbiased information. Through this coalition, the industry argues that they have been drilling in Pennsylvania for over a century, and that this experience is clear evidence of their competence. However, hydraulic fracturing is a completely

Ken Komoroski admits that the landmen do not give as much information to the potential leasers as they could.

different process than the standard gas drilling of the past: it involves more machinery, more chemicals, and more permits. Most importantly, it causes a new and entirely different set of repercussions.

In areas hit hard by natural gas woes, community organizations have formed to warn landowners of the dangers of leasing. In the end, neighbors protecting neighbors may be the light at the end of the tunnel.

The story from above:

Drilling here, now, supports America's energy independence.

Barbara Jarmoska of the Responsible Drilling Alliance was accused of being unpatriotic by landmen and her neighbors for not supporting natural gas drilling. "The landmen told my neighbor, 'I'm sorry you have to live next to someone who doesn't support our troops or our county,'" she tells us.

Advocates of natural gas as the savior of domestic energy concerns should take into account that not all of this natural gas will be used domestically. A third of the natural gas produced in the United States is consumed elsewhere. The international market, primarily Norway and China, powers their factories and homes with natural gas from the United States.

The story from above:

Natural gas producing communities benefit from jobs, money, and property value.

Despite the promise of increased employment opportunities, most drill operations have retained the same employees from shale drilling in Texas. Workers and site managers with whom we talked all spoke in a heavy southern drawl. The site manager that Vera Scroggins met with was also Texan. The workers admitted that even their superiors in the company were from the deep south. Bill Gere, the New York resident, mentions that he saw an ad in the paper for jobs in the drilling industry, but does not know of a single person in the area employed by the local gas companies.

"The gas drilling business has benefited everyone financially because everyone's leased their land. It'll remain up to individuals to decide how they use their money, but I don't see how it can hurt to have an equity base now," Gere argues. But some people aren't even seeing the money. One anonymous Susquehanna county residents interviewed has a lease with Cabot.

MARCELLUS GAS DRILLING

« The Water's Gone Bad

Continued from front page

He argues that the methane in the water on Carter Road migrated from a shallower formation through natural fractures in the ground.

One anonymous Dimock resident argues that this excuse amounts to a cover up. He found research claiming the methane was tested, and the results were inconclusive; it could be from shallow formations, it could be from the Marcellus Shale. Cabot and the DEP exchanged emails during testing, with Cabot asking the DEP to be "sensitive" to the potential for scandal if the methane was found to be from the Marcellus Shale.

By making it public that the methane was from a shallow formation, the oil and gas industry shifts blame for the incident to an accident or individual operator. However, if the methane was found to be from the Marcellus Shale, public perception of "safe" drilling would drastically change, as people would begin to realize that the danger doesn't lie with individuals or circumstance, but with an inherently unsafe process.

Komoroski makes the case that surface spills are the issue to worry about, admitting "that is where we have the potential for contamination." Several area residents interviewed expressed concern that surface spills are another red herring, mentioned in order to draw attention to the many measures used to prevent the spills. Their fear is that if the general public is analyzing the potential for surface spills, it is not inquiring about the potential for gas leaks deep underground, or other dangerous and more likely situations.

Living with Fracking:

Road Damage, Air/Noise/Light Pollution,
Forest Fragmentation

The drilling picks up in the late spring, after the ground is softened by the annual thaw. The spring thaw also brings annual destruction to the roads in and around Dimock. This year, however, the terrible condition of the roads cannot be blamed on mother nature alone. One resident, Lynn Senick, tells us she "can't remember seeing them this bad before." As our group drove, we saw holes the size of small sedans in the road. At one point, we were directed through a one lane passage as a crew frantically used a backhoe to try to fill in one of these cavernous ditches with gravel to at least make it passable. The edges of practically every road are shredded to jagged bits.

Natural gas extraction even threatens the ozone and the air of Pennsylvania. Compression stations in particular give off high levels of both nitrogen and oxides, which combine with toxic results. The mayor of Dish, Texas, Calvin Tillman, travels around the country speaking to areas with natural gas drilling to warn them of the air pollution his town suffered after fracking was used to infiltrate the Barnett Shale.

Stadium lights are used to keep drill sites active around the clock. Residents near these sites complain that sleeping is nearly impossible at night. Many have given up and spent their personal money on heavy-duty curtains guaranteed to keep light out.

Senick describes the experience of owning a home near drill sites as "living next to a carnival...but without the rides or prizes." Low level noise from machinery hums around the clock, punctuated by the occasional blast. "It's getting to the point where I think we're getting hearing loss. It's just so constant," Farnelli says.

The construction of drill pads damages the state's remarkable forests. Even if trees are spared the direct axe, the digging associated with drill pad construction causes root damage, which can kill or weaken trees. Weakened trees are most susceptible to pests, boring beetles in particular. Opening the canopy to create a pad in the middle of a stand of trees puts extra stress on the trees at the edge, and they become more susceptible to damage by cold, wind, water, or sun. Access roads build for trucks also cause fragmentation of natural ecosystems. Komoroski himself admits "it is a disruptive process... it is."

The official stance the landmen have, and tell the people whose land they lease, is that the land will be left as it was after the drilling (eventually) commences. "They say, 'we're gonna put everything the way it was'... what are you, a magician?" Vera Scroggins asks. She describes how a company will replant a pad with grass, where there was once a vital, thriving forest ecosystem.

In the end, it is clear to residents and visitors alike that this land is not what it once was. "This year they're putting in 73 more horizontal wells, and ten vertical wells, all in a nine square mile radius. This is my neighborhood now," Switzer says.

Scroggins, too, notices the changes. "I moved to the country because I wanted to have a country life, and it's being changed. It's like we're being sacrificed so the world

can have more fuel... Think of something else. They're pumping billions into this... [They should] pump it into other technologies, ones that don't change the ecosystems of our county."

"...I moved to the country because I wanted to have a country life, and it's being changed. It's like we're being sacrificed so the world can have more fuel..."

Flowback:

The Process' Poison

The surface spills Komoroski mentions are likely from what the industry nicknames "flowback." After any given frack, 15-30% of the fluid returns to the surface as flowback. This fluid contains chemicals originally used in the fracking, "NORM," (naturally occurring radioactive material) salts, and heavy minerals. The flowback is stored in containers on site. (See website for link about flowback catching fire.) After it is collected and stored, the companies assure the public that it is taken to qualified treatment centers or reused.

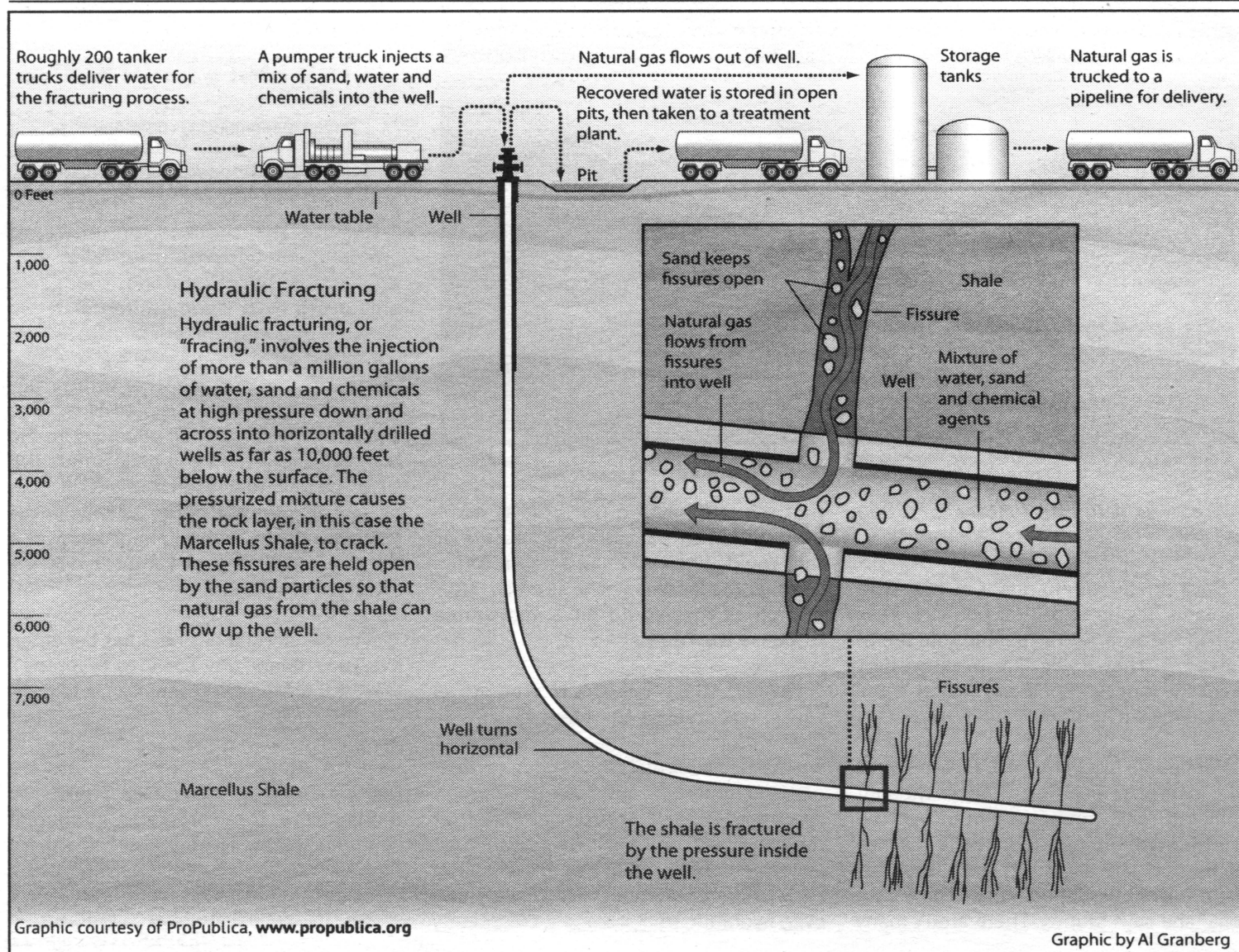
When the flowback initially returns to the surface it cannot be immediately contained. The incident is called a blowout. "A blowout turns out to be this drilling water mess coming up after all the pressure." Vera Scroggins visited a local drill site after hearing about the blowout. "The guys were all working to clean up the mess, trying to pump it into a pit." She stresses that it's hard to see things happening, because the area is marked with no trespassing signs. "By the time you ask for permission [to visit the site], whatever's happening is done." After the blowout, the rest of the flowback leaves the ground in a more orderly and manageable fashion.

"You would not believe how gross the pits are," Farnelli tells us. The flowback used to be stored in pits that would collect litter like cigarette butts, coffee cups, even dead animals. The smell is "a mix of blue fish and diesel fuel. It's enough to make you barf," Farnelli says.

The gas companies assure Pennsylvanians that only .5% of the fluid used to frack is additives. However, .5% of four millions gallons is still 20,000 gallons of chemicals, which need to be trucked in from around the country and stored before they are used.

In Dunkard Creek, Greene County, in the southwest region of the state, massive numbers of fish and other aquatic life died after a bloom of golden algae. Golden algae thrive best in waters with low flow and high amounts of dissolved solids. The most obvious source of dissolved solids is waste water from gas drilling. Many believe that undisclosed dumping of the fracking fluid into the creek is responsible.

How Does Fracking Work?



MARCELLUS GAS DRILLING

Who Does the Law Protect?

The Problems the Regulations Allow

by Sara Lee

MUCH OF the regulatory problem of the issue of hydraulic fracturing to extract natural gas boils down to a fox guarding a henhouse. The agency responsible for permitting an industry should be completely separate from the agency regulating that industry. The conflict of interest the Department of Environmental Protection must face is clear. It earns money from permitting an industry it is legally required to regulate in order to protect state residents. By allowing the DEP to perform contradictory functions, the state jeopardizes the safety of the commonwealth's people.

Drilling pads under five acres do not even need to submit detailed plans for safety and sediment control.

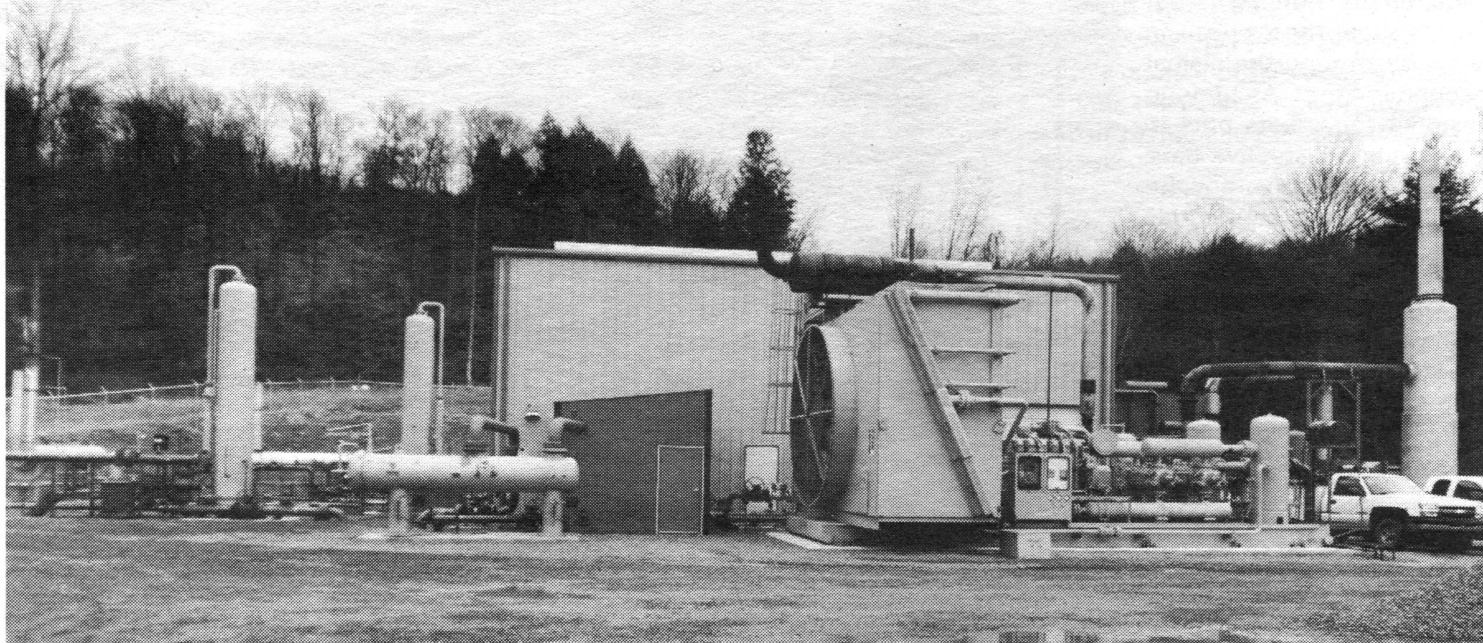
Frack Fluid Disposal

While 75% of fracking fluid remains in the Marcellus Shale, the rest of it comes back to the surface through the well. This returning water is called flowback, and contains heavy metals, radioactive material, salts, and the chemicals used in the water's initial injection. The DEP allows the flowback to be processed by wastewater treatment plants approved to handle it. Currently, there are few in the state. Ralph Kitsberg of the Responsible Drilling Alliance doesn't believe that treating it will work. "You can't filter for this crap," he warns. The flowback is also allowed to be injected into deep underground "impoundments," which must be both impervious and structurally sound. There are eight of these commercial disposal wells in the state, and each is only permitted to accept 800,000 gallons a month.

One resident of Dimock told us she saw an oil/gas company truck with a tanker (presumably full of flowback) with a hose draining into the filling tank of an abandoned gas station. Other residents of northern Pennsylvania have reported seeing trucks of fracking fluid "racing" to the New York border. If space to store the millions of gallons fluid is limited, and few are approved to clean it, where does it go? Ken Komoroski, a representative for Cabot, claims that his company now re-uses all of its fracking fluids.

Too Many Wells, Too Few Inspectors, Too Little Time

The DEP reports that there are presently 120,000 active oil and gas wells in the state. Presently, there are thirty DEP agents assigned to oil and gas operations. For the sake of "consistency," the DEP has removed county conservation districts from the permit review process for new drilling operations, despite the counties'



A compressor station in Susquehanna County. Photo by Mitch Troutman

willingness to help the understaffed DEP. (County conservation districts were created by the Pennsylvania legislature in an attempt to facilitate local grassroots conservation efforts.)

The DEP recently raised the financial cost of the permits needed to construct and operate a drilling site, but has continued to push these permit requests through an expedited review process. This means that agents in the DEP have mere days to choose to approve or deny a permit request. In Tioga County, it can take as few as two days for a permit to be approved. "A rubber stamp review is no review at all," says Matt Royer, a representative from the Chesapeake Bay Society. An expedited review leaves very little time for a thorough analysis. In fact, one permit was approved for a drill pad in a floodplain, which is strictly forbidden for water safety reasons. It wasn't until the Chesapeake Bay Society appealed the permit that it was revoked. Allowing drilling in a floodplain is a "disaster waiting to happen," Royer warns. Drilling pads under five acres do not even need to submit detailed plans for safety and sediment control.

Any proposed construction in Pennsylvania must have an approved stormwater management plan in place before it will be approved. The Energy Policy Act of 2005 exempted oil and natural gas from this stipulation. Why regulate one earth disturbance and not another?

The "Halliburton Loophole"

In what some call the "Halliburton Loophole," a regulatory gap was created by the Energy Policy Act of 2005, which exempted the process of hydraulic fracturing from following the regulations of the Safe Drinking Water Act. That act was intended to protect the public water supply from industries that discharge large amounts of contaminated water. (The process of hydraulic fracturing was invented by Halliburton, the corporation of which Dick Cheney was formerly Chair and CEO and is presently a large

stakeholder. The Energy Policy Act of 2005 was signed into law while he functioned as the Vice President of the United States.)

Beyond the regulatory gap created by the Energy Policy Act of 2005, Lynn Senick, a Susquehanna County resident, is frustrated with the lack of enforcement of the few regulations that remain. "Oh good, we have a law for that... but its not enforced, and when something does happen, they get a slap on the wrist," she laments.

Groundwater Contamination

Scott Perry, a representative from the DEP, agrees with the people of Dimock that "groundwater contamination from oil/gas drilling is unacceptable." He reports that contamination found within 1000 feet of a well, within six months of drilling, is automatically presumed to be caused by the drilling activity. Gas companies can only deny responsibility by furnishing a pre-drilling sample of contaminated water. Cabot, however, continues to deny responsibility for the pollution in Dimock. (See website for updated story.)

Landowners may be taking a risk when signing off to an attractive-sounding drilling offer. While some gas companies do offer to test the water at lease signing, not all do. Hydrologist Jim Llewellyn stresses that landowners need some type of baseline testing of their water as soon as they sign a lease with a drilling company, to protect themselves in case of contamination.

The water testing done by gas companies, according to George Turner, another local hydrologist, has been found unreliable. Turner recommends using a third party for more accurate results. He witnessed several occasions of cross-contamination by a water sample collector for a natural gas company.

A test at signing would reflect any changes in the water later on, but it may not be enough. To hold up in court, the results need to be verified by a certified laboratory. At \$5,000 per test, the price

tag on this security measure can be prohibitive for the average person.

Framing Disaster as Accident

Gas companies frame accidents as "incidents," calling explosions "unexpected releases of pressure." They deem deep production safe, claiming only shallow gas drills leak. Naturally occurring radioactive material, stirred up from deep below the Earth's surface, collects on equipment and in the fracking brine. The industry calls this "NORM," an acronym meant to soothe minds disturbed by the term "radioactive material."

Gas companies frame accidents as "incidents," calling explosions "unexpected releases of pressure."

Where Do We Go from Here?

Proposed legislation in both the federal House and Senate seeks to make the industry subject to the terms of the Safe Drinking Water Act and requires the industry to publicly disclose the types and amounts of chemicals used in the fracking process. The twin bills go by the nickname FRAC Act, which stands for Fracturing Responsibility and Awareness of Chemicals. In a best-case scenario, according to a representative from the office of Senator Bob Casey (D-PA), this legislation could pass within a year. Ken Komoroski, a representative for Cabot Oil and Gas, declares that Cabot is in favor of both regulation of water supplies and disclosure of the chemicals used. Previously, the recipes were guarded as 'proprietary' material, considered confidential 'trade secrets.'

UNEMPLOYMENT

Unemployment in the Big Woods

Continued from front page

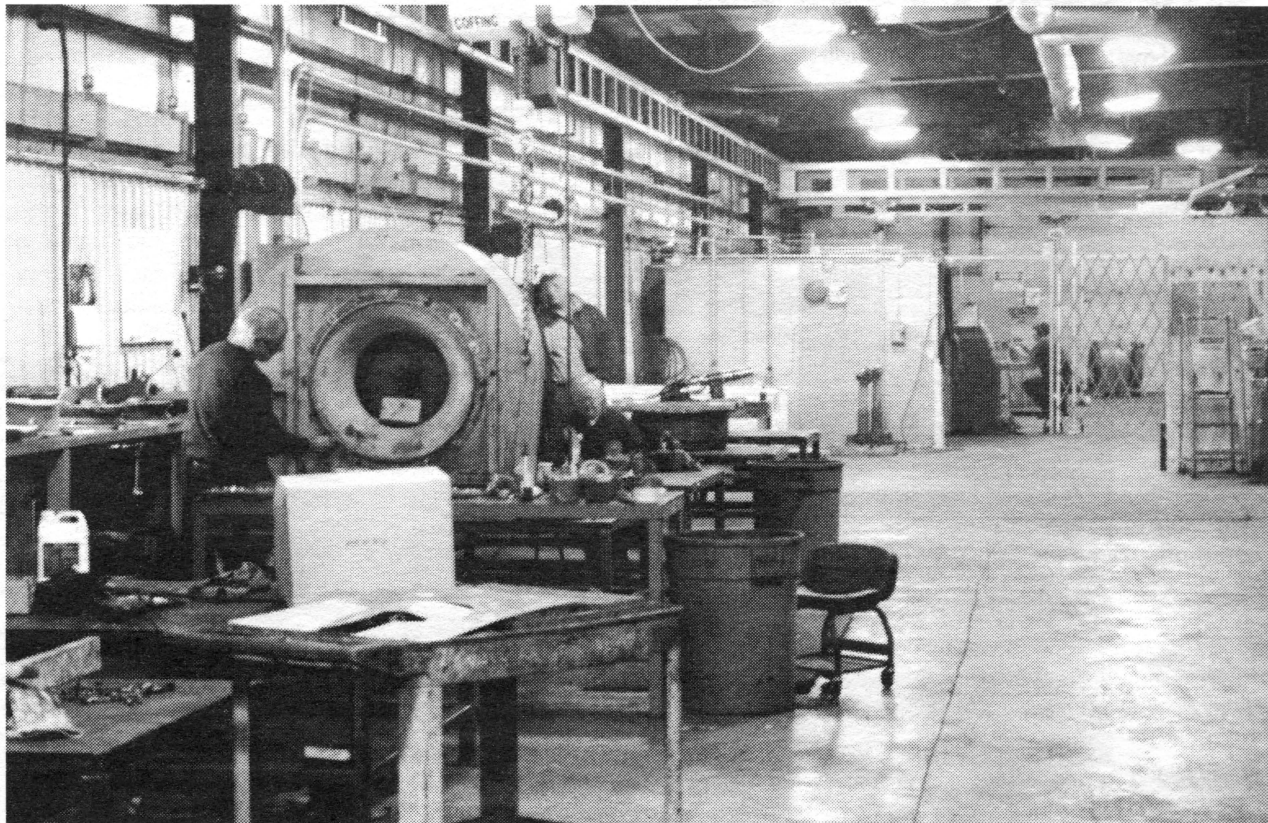
As you come through Emporium, empty storefronts dot Fourth Street, the town's main drag, illustrating the dismal economic times. As lifelong resident John Teats puts it, Emporium boasts "five bars, three gas stations, and no jobs." It was not always this way.

Cameron County has the highest unemployment rate in the state. In January 2010, the state's unemployment rate was at 9.5%, while Cameron County's was at 17.7%. Of course, official statistics only show a glimpse of what is going on with unemployment. Specifically, they exclude people who are no longer receiving unemployment benefits, or people who are underemployed with only part-time work.

The region around Cameron County has long been home to the powdered metals industry. Factories big and small make engine parts for many different industries, including Detroit's auto industry. The area has three major employers: GKN Sintering Metals, Motor Coils Manufacturing Company and Emporium Hardwoods LLC.

GKN makes parts for the auto industry as well as other industrial parts. It's headquarters is in Detroit. The workers joke that they don't know what the name stands for. With three plants, GKN is by far the largest employer in the county. It once peaked with 1,000 workers, but after massive layoffs only has about 400 workers.

Motor Coils, which is owned by General Electric, is the only big shop in the county to have a union. Motor Coils makes parts for train engines. It employed 280 workers in the mid 90's, before transferring half of



On the Job Workers at the GE Powdered Metals plant in Emporium, PA. Photo Courtesy of Randy Frey, www.cameroncountypa.net

the work to a plant in Monterrey, Mexico. Today the company employs 60 workers.

Emporium Hardwoods cuts lumber and makes hardwood products, mostly flooring, and normally employs around 100 people. As of February 2010, they hadn't cut a log in one year.

'By luck or by the grace of God': One Family's Story

John Teats has lived in Emporium his whole life. He spent 30 years working for Motor Coils beginning in 1972. His final raise brought his paycheck to \$20 an hour right before he lost his job in a big layoff. He was laid off initially in May 2009, called back in mid-September, and laid off again in October. Though unemployment payments have since run out, he got a 20-week extension. His insurance will last about another year. John was "used to making money to support [his] family," and has had to reconsider his priorities.

John's wife, Bambi, needs surgery on both of her knees. She works at GKN, pounding cement floors on bad knees. After 23 years there, she makes \$15 an hour. The Cash for Clunkers

program boosted GKN's business, but it is slowing down again. With John out of work, Bambi needs to continue working to support them. The likelihood of getting her knee operations is low.

Since being laid off John has put much of his energy into job hunting. He has submitted resumes to at least 35 employers, but the job market is saturated. The few available jobs mean major cuts in pay and benefits. For example, John applied to Atlantis Well Drilling in St. Mary's, the closest town in Elk County, but even if they do call him back, they do not have insurance benefits. He is also looking into getting his Commercial Driver's License (CDL), but the training costs are high. Additionally, truck driving jobs would require John to be away from home most of the time. A self-proclaimed "hometown boy" who has lived there his whole life, John is facing the reality that he may need to leave Cameron County. He applied for jobs in the south and has considered moving to North Carolina. But after submitting an application to an employer there, he was promptly told "I don't want to burst your bubble." He was about the 600th applicant.

John also routinely faces limitations with his job qualifications. With industries increasingly relying on technology, many employers seek younger applicants with more computer experience. Bambi pointed out, "there's nothing out there because in our day in age, there were no computers... we're too old for that." John

finds this challenge frustrating. Holding out his hands he said, "I was taught and I was trained to earn and make a living with these." Thirty years of experience means very little in this economy. Referring to his age, John said "it's gonna be by luck or by the grace of God if I get a job."

How is the rest of the community feeling the effects of unemployment? John shared that some houses for sale in the middle of town "have been on the market forever." People are nervous to buy because they might get laid off at anytime. Other houses sit empty simply because there are not enough people to rent them. John looks at the ways the area has changed: "little town of Emporium used to be something, but what happened? It ain't like it used to be. You've got to go to St. Mary's to buy a pair of shoes. You've got to go to St. Mary's to buy a pair of pants. Heck, you go up to Walmart and buy anything you want because that's what's convenient for Emporium."

'Rising Water Floats all Boats: The Union and the Layoffs'

Of Cameron County's three big shops, only one is union. The workers at GE Motor Coils are members of the IUE-CWA. The local shop steward, Randy Frey, explained the union's role in Cameron County and recent layoffs.

"The union has been there almost 50 years. It was organizing at GE in the early 60's. Somewhere in the late 90's, the IUE and the CWA merged, and in 2000 when GE bought us, our local union fell under what's called the GE conference court. We fall under a national agreement that covers all GE transportation workers all across the country, probably 40,000 of us or so. I've been a union officer at our local for over 20 years."

When asked how the union helps the community, Randy shared an old union saying: "rising water floats all boats." Union workers tend to have better wages

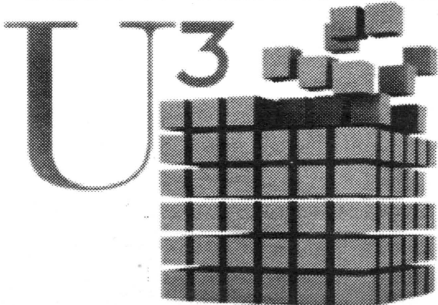
-In January 2010, the state's unemployment rate was at 9.5%, while Cameron County's is at 17.7%.

-GKN is by far the largest employer in the county. It once peaked with 1,000 workers, but after massive layoffs only has about 400 workers.

-High unemployment isn't just a sign of bad times. For rural areas, it's also a result of urbanization - when people move away to cities and suburbs. As rural populations decline, speculation and worry about the future of small towns is on the minds of many residents. According to the Census, only 28% of Pennsylvanians live in its 48 rural counties (72% of the state), as opposed to the 72% who live in the state's 19 urban counties (28% of the state).

Assistance for the Unemployed

UNION OF UNEMPLOYED



RIGHT NOW, 31 million Americans are out of work. "Ur Union of Unemployed" (also named U³ or UCubed) is a way for the unemployed and underemployed to organize, to get back to work and to get their lives back.

The International Association of Machinists and Aerospace Workers sponsors UCubed, because they believe that their unemployed members will not be

able to return to work until workers in other fields also return. In order to help speed up employment recovery, they have taken an innovative approach - they are using the latest online social networking technology to build an organization of the unemployed.

UCubed allows you to build a network of unemployed friends and neighbors. The online community provides you with

resources to help you demand politicians create jobs. The idea is that by yourself opportunities are limited, but united with others you have power in numbers.

Take advantage of what they have to offer by visiting their website. Make sure to look for "Decisions & Choices" in the Resources section for help with resumes, jobs listings and more. ♦

www.unionofunemployed.com

UNEMPLOYMENT

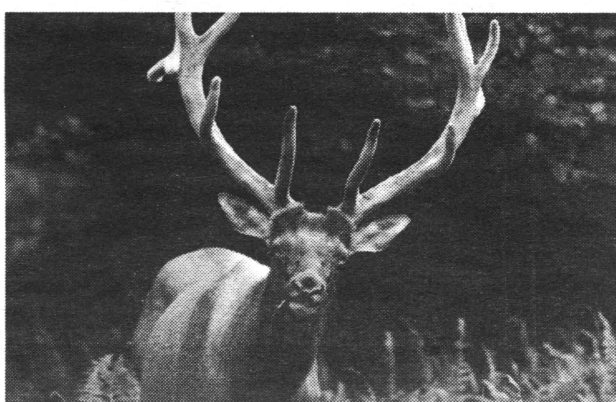
and better benefits. I'd have to say the powdered metal industry that really took root here offered competitive wages and benefits to try to keep their employees happy and to keep the unions out. Companies don't want unions. When there's union wages and benefits right there where people can see, they have to try to beat that to some extent or their employees are going to be asking for a union, too."

"I think it's good for the local economy. If a guy's downtown shopping and is making \$25/hr, he's going to buy that washer & dryer out of your store. The guy that's working down the street, making minimum wage, he's not going to buy nothing. He's barely paying the rent and the groceries. I think that the union wages, not only in the union shops, helps the whole community."

When it comes to layoffs, union members in Cameron County saw advantages over their non-union neighbors. "We're still on the callback list," said Corey Moate, who was laid off in October. "They can't hire anybody for five years. If a job comes up, they have to start calling people that are laid off first. That's in the contract." Additionally, workers at GE Motor Coils can continue receiving their health care for one year while unemployed.

Randy explained more about how the union helps laid off members. "We negotiated a contract with GE that gives us what's called Income Extension Aid," he said. "That's a supplementary package that you get as long as you're on unemployment. For the average worker that gets laid off, he gets whatever the average unemployment is going to pay for. For us, we get our health care paid for a year. We get some supplementary income that helps make up the difference between your unemployment and your regular pay. It sounds like a pretty sweet deal. That was negotiated by people that put 25, 30 years in that place to get it."

"Something else the union did—when the railroad industry went downhill, we filed a petition to get TRA benefits. It was denied. It needs to be filed by the employees and they did that, and they were denied. Our union went to bat with the unemployment people and the National Labor Relations Board to fight for that, and we've actually got it. We had probably over 150 employees that were laid off and actually took advantage of that job training and went into other lines of work. I think without our union, that request would have been denied and it would have been all over, because they wouldn't have had an way to pursue that, unless they independently hired an attorney."



An Elk in Cameron County Photo Courtesy of Randy Frey, www.cameroncountypa.net



Emporium in the Valley Photo Courtesy of Randy Frey, www.cameroncountypa.net

Trade Reallocation Act (TRA) benefits, also known as Trade Adjustment Assistance (TAA), is a hot topic in Cameron County. Former employees of GKN and Emporium Hardwoods have both gotten them, and the union is once again working to get them. The TRA program offers workers paid training or schooling for up to two years, as well as extended unemployment for the time they are in school. This program has given workers from Cameron County the chance to become nurses, social workers, etc.

You don't need to be in a union to receive TRA benefits. It was created in 1962 as extended unemployment and expanded to include education and training in 1974. Weakened in 1981, it was rebuilt by 2002 as part of the North American Free Trade Agreement (NAFTA), and finally expanded again in 2009.

The TRA program is designed to help workers who were affected by U.S. free trade agreements with other countries. It exists for people whose jobs have gone to other countries or whose products have been out-competed by cheaper foreign products as a result of these policies. According to the Department of Labor, "To obtain TAA reemployment services and benefits a group of workers must first file a petition with the U.S. Department of Labor's Trade Adjustment Assistance Program (TAA) requesting certification as workers adversely affected by foreign trade." After receiving a certification, individuals can apply for benefits.

Two former GKN employees who were taking advantage of the TRA program were happy to have the opportunity to talk but concerned about their futures.

"I'm going to school through the TRA program right now. I'm going to Penn State DuBois. This will be my second semester coming up," said Dave Gray. "People are going for a lot of different things. I'm going for human development,

counseling. There's other people I know going for a wide range of things. The state pays for schooling & you get the extended unemployment that whole time, but they do cut you off as soon as you graduate. You don't have a grace period. It's only an associate's degree, so the jobs are probably going to be low paying."

"I think it's a good thing to take advantage of," said Michelle Barton of Emporium, who is going to school for occupational therapy. "I've worked since I was old enough to work. I've never been out of work. My only fear is, after two years of college, what happens if I can't find another job?"

Michelle added, "I think if you really want to go to follow your field, you need to be willing to relocate. If you want to stay in a small town like this, degrees really don't matter." Dave echoed her, saying "a lot of people are going to be getting out of school at the same time and there's not that many jobs in such a small area."

Population-wise, this is the smallest county in the state. I've been here 12 years, made some friends, lost touch with old friends. I'd like to stay here instead of starting all over again. Depends where the job market takes me. I think a lot of people in this town are going to have the same decision to make."

The Future of Small Towns

High unemployment isn't just a sign of bad times. For rural areas, high unemployment is also a result of urbanization — when people move away to cities and suburbs. As rural populations decline, speculation and worry about the future of small towns is on the minds of many residents. According to the Census, only 28% of Pennsylvanians live in its 48 rural counties (72% of the state), as opposed to the 72% who live in the state's 19 urban counties (28% of the state).

Drilling and the PA Wilds

by Mitch Troutman

WE ASKED Randy Frey of Emporium about two economic possibilities in Cameron County: the Pennsylvania Wilds program and gas drilling in the Marcellus Shale.

Started in 2003, the Pennsylvania Wilds is a program aimed at drawing tourism to the great forests of northwest and north central PA. The state runs ads in more populated areas, and provides resources for local organizations and businesses to take advantage of the program.

"I support the PA Wilds. I think we live in one of the most beautiful places in the country and its pretty much undiscovered," Randy said. "I don't think people in Emporium have quite found a way to take advantage of it. I don't think that PA Wilds have had a large impact on the economy in Cameron County."

"With [government] help comes a little control and guidelines and things. People are skeptical and reluctant to take advantage of it. There are communities around that are taking full advantage [of the program], and we are starting to here."

Randy told us about some of those projects: "In April, we have the Cameron County Canoe and Kayak Classic. This is a big, big canoe race. In the last 10 years this thing has tripled in size. For that day there's thousands of people that come to watch or participate in the canoe race. They market that under the PA Wilds banner. Of course we got elk here. There are a lot of tourists that come to see that. There are some small businesses that are trying to make a little money from that."

Marcellus gas drilling also brings hopes for new jobs. Whether these jobs will pan out is yet to be seen. Though much of the drilling work is done by out of state workers, some local people will be hired, and some money spent by the workers comes into the local economy. In the rush to drill, the state has leased the majority of the state forest lands to drilling companies. It is possible that this could have negative effects that may have on the PA Wilds campaign.

"I think the only business that has benefited so far is probably the local hotel and the restaurant. There really isn't a lot of activity yet," Randy pointed out. "You know everyone wants the governor to tax the gas extraction. Give the local governments a piece of that pie. But we're not gonna get it."

"I think there will be an economic benefit to some extent, certain local businesses will benefit. But I think there are definitely pitfalls. Townships have to watch out and get their roads plotted so the gas companies don't come in take what they want and rip everything to pieces and then just leave."

"Will gas drilling help Cameron County contend with its unemployment? 'It's hard to tell. I can't even offer a prediction,' Randy concluded. ●

KEYSTONE OPPORTUNITY ZONES



Rusted Old tracks pass an abandoned building in Lansdale, PA. Photo by Sara Lee.

From Rust to Gold?

Pennsylvania's Keystone Opportunity Zones

by Rachael Spotts, Sharon Kelly and Mitch Troutman

FROM MICHIGAN to Pennsylvania there's a stretch of abandoned industrial buildings collecting rust. That's why it's called the rust belt. In an attempt to revive Pennsylvania's corroding economy, the state government created the Keystone Opportunity Zones (KOZ) in 1998. The idea is for the state to give tax breaks to businesses in a trade for job creation and rebuilding of old industrial sites; however, a recent state report admitted that there is not enough data to decide whether the program is a success or a failure. Pennsylvanians need to decide for themselves.

What are KOZs?

Pennsylvania enacted the KOZ program with a few goals. The Legislature wanted to increase employment and local investment and make use of contaminated and blighted property. The program exempts businesses and residents from paying local and state taxes for 10 years. This exemption is called tax abatement. In return, property owners promise to create jobs and fix up the properties. The program created twelve regions around the state, with each region including a maximum of 5,000 acres of tax-free land. The state set the boundaries of these zones, but specific sites were chosen by local governments.

The "one-time only" program earned praise from a prominent business journal in 2001. The same year, without studying the program, the state passed an expansion, followed by a second and third in 2003 and 2008. These expansions created new zones and also let property owners in old zones apply for new, longer expiration dates. To date, 70 percent of KOZ land is undeveloped.

The KOZ statutes contain "clawback" provisions. Clawbacks allow the state to revoke tax breaks if companies don't hold up their end of the bargain. For example, if a business doesn't remain in a KOZ for at least five years after their tax breaks expire their tax exemption can be – but won't necessarily be – revoked. There are

no clawbacks, however, for businesses that fail to create jobs.

Why Should We Pay Their Taxes?

When business owners decide where to locate their investments, they consider many factors. By eliminating taxes, the state creates incentives for the business to choose a KOZ location. Hence, tax abatements are also called tax incentives. The theory is that the amount of benefits brought by business will offset the unpaid taxes. The argument is that if the property is empty, no taxes are paid anyway. KOZs are intended to promote long-term investment, generate taxes paid by workers, and create secondary economic benefits through side-contracts and money spent in the community by workers.

In exchange for job creation and local investment, businesses are not required to otherwise contribute taxes on the local or state level. The burden of the unpaid taxes falls onto the residents and pre-existing businesses in the area of a KOZ site.

Politicians often treat tax income as a profit – money that can be used to fill in budget gaps or to create new projects. In fact, taxes are cost of providing residents and businesses with basic public services.

Businesses in a KOZ use infrastructure created and maintained with tax dollars, such as roads, emergency services, public utilities, regulation enforcement, and other resources. When a business is given a tax abatement, the rest of the community pays the bill for the business to operate through wage, income and property taxes.

Red Flags

Little information exists on the KOZ program's effects and results. The state has done two recent reports: one in 2008 from the Center for Rural Pennsylvania and the other in 2009 by the Legislative Budget and Finance Committee. The main finding of the latter is that little is known about how KOZ's have worked. It found

that "records for the KOZ Program's first four years (1998 through 2002) are missing," and that the 2003 to 2006 records were poorly organized and incomplete.

Based on what information is available, the report concluded that "it is very difficult to determine the total number of projects or participants currently active in the program."

In fact, there are a lot of numbers we don't have. We don't know how many tax-paying businesses moved to KOZs from elsewhere in Pennsylvania. We don't know how much KOZ participants have actually invested in improving their properties. We have incomplete data on both job creation and job retention. Businesses that leave KOZs after their tax breaks expire are not being monitored closely to implement clawbacks. A similar program called Empire Zones, cost New York State about \$650 million and failed to deliver promised jobs. The program, which started in 1999, included 9,800 certified businesses.

Not every form of abuse of KOZs violates the law. There's both legal and illegal corruption associated with them. Since the program is unstudied, holes found in the system could be larger than we know. All we have right now are individual stories.

For example, with 900 lawyers Dechert L.L.P. is the largest law firm in Philadelphia and the 37th largest in the world. In 2004 they moved from their downtown Philadelphia location to the new "Cira Centre" KOZ. This allowed the already-established law firm to stop paying taxes.

In Luzerne county, an ongoing FBI investigation may be turning up evidence of KOZ-related misdeeds. Robert Mericle is famous for his conviction as part of the Luzerne County "Cash for Kids" scandal of bribing judges to wrongfully sentence children to long jail terms in order to fill beds in the juvenile prison.

As it turns out, all of Mericle's properties have KOZ status. Robert Childs, director of the Hazelton school board, pointed out that Mericle's properties were approved during a suspiciously rushed voting process. Despite Mericle's criminal conviction, the school board approved a KOZ extension worth over \$340,000 for Mericle's property. This is much more than the one-time, \$250,000 maximum fine that Mericle faces for his involvement in the scandal. FBI agents recently subpoenaed documents about zoning decisions and building permits in Pittstown, where Mericle's CenterPoint Commerce and Trade Park is located.

History has taught us again and again that when politicians have benefits to hand out without oversight, corruption is often not far behind.

Up to Us

KOZs and similar tax-abatement programs are based on the theory of free market capitalism, which has been highly praised and highly

criticized. One criticism is that free market policies accelerate the consolidation of wealth. In other words, the rich get richer and the poor get poorer, faster.

Regardless of ideology, the KOZ program is massive, mostly unstudied and thus inconclusive. Many questions need to be asked. Are businesses staying past the length of their benefits? Are they eventually paying taxes? How open is the KOZ program to manipulation or corruption? Are businesses relocating from within the state? Are they creating quality jobs? Would the business have opened anyway, regardless of tax abatement? Is a local KOZ empty - who used to be there, did they get abatement, and why did they leave?

PAB proposes that we ask these questions together, and invites you to be part of grassroots research. We've come up with a list of resources for investigating KOZs in your area. We are asking you to check them out and share what you find on our website at www.pafrombelow.info

WAYS TO RESEARCH:

-First, find a KOZ. You can contact the Department of Economic and Community Development at 1-866-GO-NEWPA (1-866-466-3972) or find them via their website.

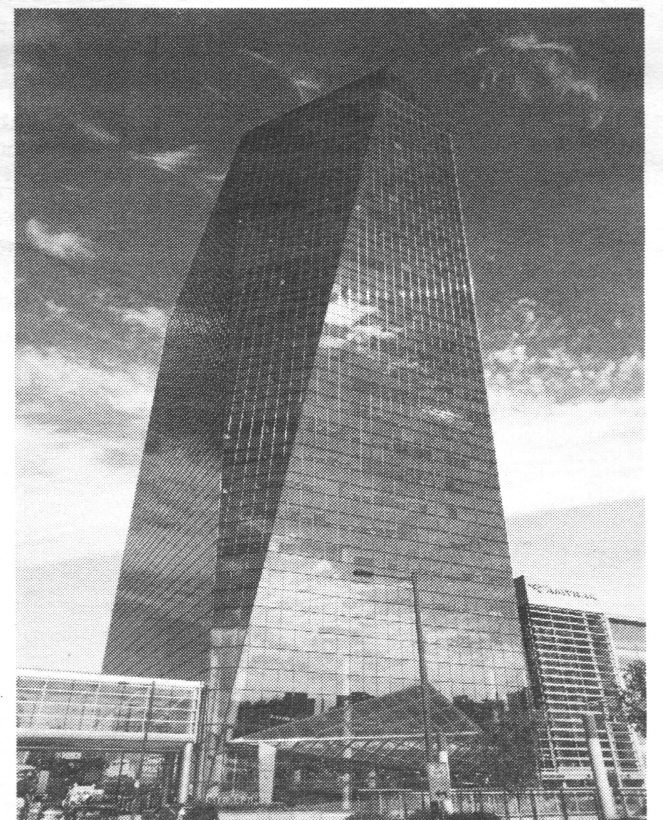
-Once you find out where a KOZ is, learn what businesses are there. Talk to people who work at the site or live near by about their impact.

-Pay attention to KOZs in your area. They're often advertised.

-Attend school board and town council meetings -- and ask questions.

-Create news alerts, Internet tools that notify you when news comes out on issues you are interested in. You can use this to track any news about a KOZ site.

-Find more in-depth research tools on our website. ●



Tax Free The Cira Centre, a 29-story Philadelphia sky scraper is part of the KOZ program. Photo by Mitch Troutman.

« Desperate

(pg 5)

Drilling on his property began in November 2009, and royalties were promised 90 days after the drill went on-line. As of March 2010, he had not received any money from Cabot.

In general, property values in areas like Susquehanna County are rising, but everyday people aren't seeing the benefits. Vicky Switzer, who sought to build her dream home in rural Pennsylvania and live out her retirement there. She and her husband invested their savings into building the home, but now have no access to clean water. They are struggling to decide whether their investment is still worth it. Regardless of their decision, they are trapped. "Property value is based on people wanting to buy the property. Who will buy our property? We're on bottled water," she says.

Demand for rental properties has also skyrocketed due to the workers brought from out of state. But countless long time residents have been forced out of their homes due to these enormous rent hikes, which they cannot afford. Even local hotels in the area have been completely booked, state Senator John Rafferty reports.

Desperate for dollars, the people of Dimock were trapped into a situation that changed their town, their bodies, and their lives. "We are no longer the village of Dimock. We're the Dimock gas field, in the Marcellus Fairway. We've lost our identity as a community." Vicky Switzer laments. "At some level it seems there's kind of a warfare involved, because the corporations, I don't think they care in the slightest for the rights of property owners and the way of life of the people whose land they're using," Gere says.

As Scroggins tells her story, she becomes audibly upset. Her voice takes on a tearful but sharp tone. "I don't wanna be polite anymore... what's happening is completely unacceptable!...When you see what's happening, you move. Or you start screaming."

Her anger is not isolated, and many in the Dimock community echo her sentiments. In areas hit hard by natural gas woes, community organizations form to combat the lies told from above, and to warn property owners of the dangers of leasing. In the end, neighbors looking out for neighbors may be the light at the end of the tunnel.

For more information about the environmental impacts of hydraulic fracturing for natural gas, see our article "The Water's Gone Bad." ●

« Passing the Buck

(pg 11)

The number of families suing Cabot has since grown to 20, comprised of a total 52 plaintiffs including children, Lewis said.

Lewis, an associate at Manhattan based Jacob Fuchsberg Law Firm, introduced the suit. "As a result of Cabot's negligence, [Carter Road residents] have suffered contamination of their water, loss of property value, permanent damage to their property, loss and use of enjoyment of their life, loss of the only thing that these people had for the next generation of this community."

The lawsuit is imperative, Lewis said, because the Carter Road residents, "did not have the faith in the company to do what was necessary to meet contractual obligations with respect to repairing any damage that's been done."

According to Lewis, the goal of the lawsuit is to "acquire the [environmental] remediation to the extent that it can be provided. We're suing for compensatory damages, we're suing for breach of contract, we're suing for fraudulent inducement and solicitation."

Dimock resident Lynn Senick stressed that the Carter Road residents' decision to file suit was difficult. She argued that the locals aren't automatically cynical about the natural gas industry. They don't expect that the drillers might not have everyone's best interests in mind, because the community has always been small enough that trust was easy to earn. However, in the current footloose and global

economy, perpetrators of damage don't stick around long to be held accountable.

Senick stated that it would be cheaper to buy all the land used for fracking, but that companies choose to lease because it gives them an easy escape from responsibility if the property becomes contaminated. Energy companies aren't interested in the land itself—only the gas that they can quickly find, extract and sell.

A Tangled Web

When asked about the revised consent order and agreement, Lewis said, "the negotiations have Cabot's footprint all over it," because the result is too beneficial for the company. The April 15 order includes 11 of the 20 families associated with the lawsuit among the 14 affected homes that the revisions address. Because the DEP order also contains stipulations about supplying treated water to the residents (water tanks for a non-potable water source, and bottled water or treatment systems for potable water), the order has a direct impact on the lawsuit. One of the most pressing demands of the lawsuit is that Cabot fund and build a municipal water system for any contaminated water wells in Dimock Township. According to Lewis, this would require Cabot to "find a water source that's not contaminated and build the system and pipes to get water into people's homes."

Finding clean water might not be such an easy task. DEP Secretary John Hanger admitted in a May 4 meeting with Dimock residents that the department does not know the extent of the contamination or how long it will take to clear. At that same meeting, Dimock residents affected by the water contamination argued for the creation of a municipal system as a solution, and the DEP appeared receptive to the idea. Neither the DEP nor Cabot has made any clear decision on the matter to date. Lewis said that Cabot has been unresponsive to petitions for the creation of the municipal system.

As it stands, the DEP has required Cabot to install permanent water treatment systems in 14 affected homes by May 15. Lewis said the purpose of the May 4 meeting of residents and the DEP was to encourage residents to accept the proposed solution to use the same treatment company Cabot has used in the past. However, Lewis reported that three of the families with whom she works have already had these systems installed. All of them have been disconnected because they didn't work.

Even if the in-home systems were effective, they are a temporary solution at best, according to Lewis. She pointed out that having a water treatment system in the home burdens homeowners. The systems take up a lot of space, a significant problem for families without basements or in small homes.

Moreover, the system gives Cabot—the company that most of these families feel has lied and cheated them—direct access to their homes and property to install and maintain the water systems.

The worst-case scenario, Lewis said, would be if Cabot declared bankruptcy or closed down before establishing a long-term solution to the water contamination. Then no one will be held responsible to ensure that the families get clean water. They'll be stuck with dirty water, the cost of maintaining and repairing complicated water treatment devices, and they'll have no means for remediating their property or their water. ●

« The Law

(pg 3)

Some groups, including the environmental lobbying group PennFuture, suggest imposing a severance tax on the oil and gas companies who profit in our state. Ideally, this tax money would go towards environmental stewardship and to local governments. Out of the 32 states that have natural gas extraction, Pennsylvania is one of only two that does not impose this tax.

Drilling companies contend that this tax would stunt the growth of an "infant" industry. The companies involved, however, are not new to the American public. ExxonMobile alone has invested \$31 billion in Marcellus exploration. In fact, natural gas drilling has been occurring for decades. The only thing in infancy is the use of hydraulic fracturing.

Moreover, these companies pay few taxes to begin with, since they are classified as energy providers. West Virginia began imposing a tax of \$.047 per cubic foot extracted in 2005, and saw no change in the amount of extraction.

The rate of return on investment for energy companies is actually higher for Marcellus Shale drilling than extraction elsewhere, due to the quality of the gas extracted. Proponents for the tax claim that it would internalize a current externality: that extraction companies would now have to pay for their damage to the ecosystems in the state. The majority of states in the county have this type of tax some natural resource. The nation collected over \$16 billion in severance taxes in the 07-08 fiscal year.

The Commonwealth of Pennsylvania currently obtains its only revenue from natural gas extraction from leasing state forestland to natural gas companies. The state must then pay to repair the damages done to bridges, roads, and other infrastructure by the natural gas companies.

Some environmentalists argue a more drastic solution: a moratorium on hydraulic fracturing until lengthy studies have been completed on the process' effects on land, air, water, and wildlife. While a moratorium on drilling on private property is a hard sell, it is possible that one could be passed on the fracking occurring right now in commonly owned state forests. The EPA is set to begin a study on the effects, but the 2011 budget may or may not cover the costs of the research.

The most important thing to take away from our work on natural gas drilling in Pennsylvania is that you must dismantle the lies spread from above, by getting the story from people below. The stories from above just don't add up. Why, if the materials used in fracking are safe in water like Halliburton claims, did they write themselves an exemption from water pollution regulation? If the industry is good for the economy, then why are there no jobs? If the people who sign leases like what's done to their land, why do they move away? Why, if energy companies claim to want to 'move forward,' do they utilize the same unrenowned technologies and create even more devastating ones? If imposing a tax to benefit the state would kill the industry, why hasn't it done so in other states? And better yet, why would it necessarily be a bad thing? ●

« Small Town

(pg 9)

Both John and Bambi Teats are concerned with changes in Emporium over the past few decades. John explained that in the fifties through the seventies, it was "a nice boomin' little town; all the stores were running. The liquor store down there now was an A&P." According to Bambi, "we used to have three or four grocery stores, now we have one." Meanwhile, the population in suburban areas, like Montgomery County outside Philadelphia, continues to rise.

One of John and Bambi's daughters lives outside of Pittsburgh. She told her parents, "I don't know what I want to do, but I don't want to live in Emporium all my life." Similarly, when asked if her three sons would stay in Cameron County, Michelle Barton said the chances were "probably slim to none. I encourage them to get out. It's a great place to raise your kids, but there's nothing here, really." She has stayed there because she had a solid job with good pay. John decided he does not see Emporium going anywhere, and that he is "gonna have to move 'cause there's nothing around here."

Generally, older people stay in small towns like Emporium, as rural and small town Pennsylvania ages. John cited the area as ideal for retirement: "when they get old and grey and need some place to stay, we got homes in

Emporium." Yet Cameron County's future is not necessarily bleak. There is something for just about everyone to do in the county, including hunting, fishing, a yearly snake hunt, hiking, mountain crafts, and endless opportunities for photographers. These activities continue to draw people to living in and visiting Cameron County.

During mid March, when 60 to 100 workers were called back to Emporium Hardwoods. Some workers are choosing to continue their education with the TRA program, and Hardwoods is hiring to fill those positions. ●

« Gone Bad

(pg 6)

Though the permits used by the gas industry regulate how much water can be taken from waterways, environmentalists still raise concern about the hundreds of thousands of gallons being withdrawn daily. Residents argue that the massive quantities of water are "stolen" from them.

Last year, the DEP received a call in Mcnett Township in Lycoming County: a woman noticed bubbles were coming up in a local stream and she didn't know what to do about it. The entire town was evacuated due to the high methane levels. The Pennsylvania state police closed roads to the public. The situation, which the drilling company claimed was caused by a faulty string of casing, took several days to repair.

The Snake in the Grass:

Natural Gas Pipelines

The Marcellus Shale also has extra appeal for oil and gas companies: its vicinity to the vast and demanding markets along the East Coast. To get natural gas from Vicky Switzer's backyard to Philadelphia, however, requires massive lengths of pipeline. These pipelines reach thousands of miles across the state, crossing over both private property and pristine forest.

In Pennsylvania, energy companies are allowed to claim eminent domain in order to lay transmission pipeline. These pipes can leak, reducing the oxygen available in soil. The pipelines themselves form a physical barrier, and can cause fragmentation of natural ecosystems.

Lynda Farrell of Chester County, is building a network for residents who want to be involved in pipeline safety issues. Her model is based on the Pipeline Safety Trust of Washington state, which formed after three boys died due to a pipeline accident. The first boy was overcome by fumes from a leaking pipe as he fly fished in a stream, leading to his drowning. The second two were setting off firecrackers further downstream, when the water caught fire and killed them.

Farrell worries about closer to home, as she has a pipeline running across her property. In Appomattox, Virginia, a pipeline exploded due to corrosion. The pipeline had undergone testing using smartpeg technology to detect any potentially troublesome corrosion in early summer. It exploded before anyone had gotten around to checking the results of the testing. Though the pipelines are required to be tested every seven years, there are no requirements for periodic replacement of old pipes. "A lot of these lines should absolutely be replaced. I don't know if the industry agrees with that. Their approach is that if it's in the ground and it's not causing any problems, then it's fine," Farrell tells us.

When environmental disaster happens in our own backyards, it is vital to get the story from below. The media above and the gas company "coalitions" would have us convinced this is an isolated incident and completely unrelated to Marcellus Shale. We know better, and must use this information to make better policy decisions about natural gas drilling in our state. "Until Carter Road is everywhere, till everyone's kids are vomiting and getting leukemia, no one's gonna do anything," Scroggins fears. ●

A Gas Drilling Glossary

Written by residents of Susquehanna County, with some excerpts from Wikipedia and Un-NaturalGas.org

THERE IS a lot of vocabulary that comes into play with natural gas drilling. Here is a short list of terms that get thrown around gas-land.

Flowback: Hydro-fracturing fluids or brine that contains water mixed with other formula ingredients, it also mixes with metals, minerals and elements under the earth's surface. It then flows back to the surface of the pad after a well has been stimulated or fractured. Flowback is a form of "produced water" or residual waste.

"Free water": What bloggers and commenters on websites and newspapers claim Dimock residents receive. Arrives on a truck, usually inside a water buffalo, which is usually a grimy plastic tank of some sort. Also includes some drinking water in gallon jugs and water bottles, which come from the Endless Mountains Water Company, in nearby Tunkhannock. The company is downstream from Dimock and its endless aquifer contamination and industry spillage. This water is provided for some people free of charge because their water wells have been contaminated due to gas well drilling activities nearby. (Note that 3 years ago these wells were an endless source of high quality drinking water.) Free water is provided because people are unable to drink their own water and their home plumbing is at risk because wells, homes, hot water heaters, washers and dishwashers can explode if our methane levels get too high.

Hydraulic fracturing: As used for natural gas extraction, is the process by which water, frequently mixed with proppants and chemicals, is forced down a drilled well bore at extremely high pressure, in order to create or expand fractures to release gas from the rock formation in which it is trapped. With the creation or restoration of fractures, the surface area of the formation exposed to the borehole is increased and the fracture provides a conductive path connecting the now-freed gas to the well. The process is also known as fracking, hydrofracking, or any other variation.

Incident: A fuck-up. Gas companies and their workers, the DEP, and news reporters all have very delicate sensibilities and cannot bring themselves to call a spade a spade, either that or they habitually misspell the word accident.

Leak: Another term for explosion. I was told that a loud explosion noise that reverberated through the valley and shook our house was not an explosion, but a "powerful leak." Another "explosion" that propelled a gas worker 30 feet into the air was deemed "not an explosion, but a brief but forceful uplift in tubing."

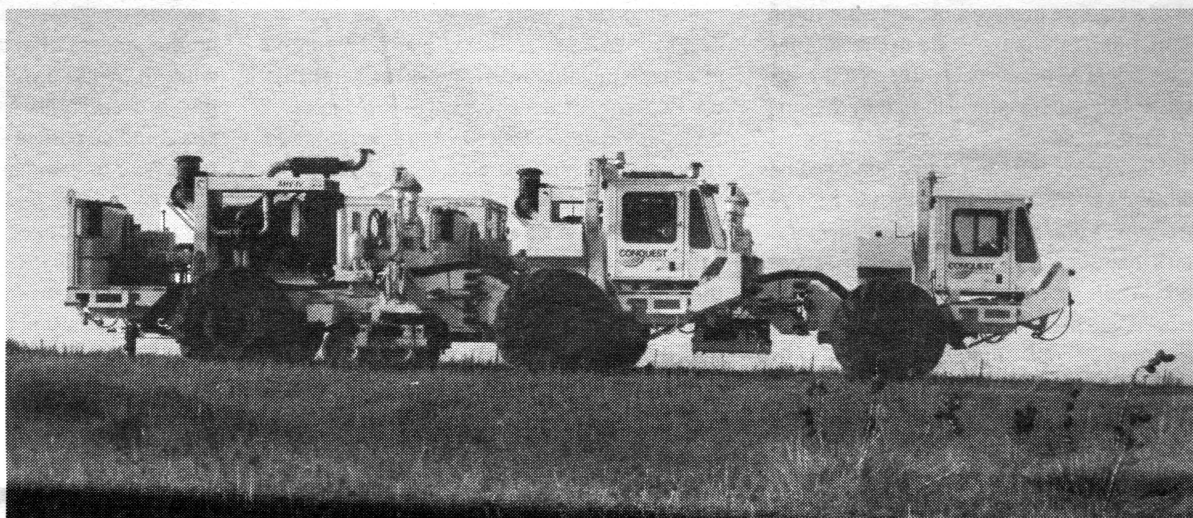
Natural gas: A gaseous fossil fuel consisting primarily of methane but including significant quantities of ethane, propane, butane, and pentane—heavier hydrocarbons removed prior to use as a consumer fuel—as well as carbon dioxide, nitrogen, helium and hydrogen sulfide.

Proppants: Small particles such as sand or synthetic beads that hold open the newly-created fractures so that released gas can flow towards the well.

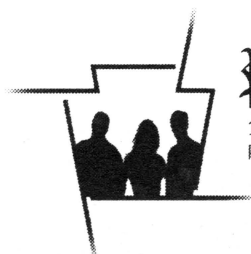
Spaghetti: An intricate web of extension cord like wires that join seismic detectors to their power source, their interpretive equipment, and trees and shrubs on property owners land. The cords take on a tangled appearance, thus the name spaghetti. Property owners have found that the more irritating they are to the company, the more random the wire tangles, and the longer they will stay draped all over the roadside edge of their property.

Thumper trucks: White or yellow, lengthy pieces of heavy equipment, that rattle the roads as they move down them at a snail-like pace. They are shaped vaguely like garbage trucks, but with more air space between their moving parts, and they have lots of sections that at first appear to be separate pieces of equipment. Precise instruments on the trucks record seismic data from beneath the earth, as the trucks and explosive charges stimulate mini earthquakes on property owners land. Nerve-wracking vibrations penetrate homes and deep into the earth. In the process, these sensitive instruments can detect natural gas and crude oil pooled miles down beneath your property. Some shifting may occur. Enough to stop a spring or cause shale, soil or anything else trickle down into your well or aquifer.

Water buffalo: A hairless five hundred and fifty gallon plastic tank filled with lake water or whatever else is free and readily available, or is already accounted for with a consumptive water use permit. The tank contains non-potable water, dirt, rocks, leaves and chlorine. It burns skin and causes rashes. Dogs won't drink it. The water freezes easily in PA outdoor winter weather. Though it can be brought inside, tanks are often oddly shaped, like a circus tent or propane tank. The tank takes up a lot of room and can't be used as a surface on which to place other object, because top is typically rounded or slanted. Usually tanks are also discolored, dented, dirty, or leaky, with sediment at bottom.



Thumper Trucks Photo by Ron Schott, www.flickr.com/photos/rschott/



Pennsylvania from Below

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